

**441—153.54(331) Eligibility determination.****153.54(1) *Approval by county.***

*a.* The CPC or the CPC's designee shall determine whether an applicant is eligible for services based on the eligibility guidelines contained in the approved county management plan for the applicant's county of residence.

*b.* The county shall apply any policies and procedures regarding waiting lists to state payment program applicants in the same manner as it applies them to persons who have legal settlement in that county.

**153.54(2) *Certification by the department.*** Within 15 business days after receipt of a complete application as specified in subrule 153.53(2), division staff shall certify the applicant's eligibility for the state payment program to the central point of coordination.

*a.* The applicant's legal settlement status shall be ascertained in accordance with Iowa Code sections 252.16 and 252.17 and with other applicable laws, rulings of courts and opinions of the Iowa attorney general.

*b.* The division shall institute a waiting list for state payment program clients if the appropriation becomes fully encumbered. The division shall promptly notify all counties if a waiting list is to be instituted because of a lack of state funding.

**153.54(3) *Effective date of eligibility.***

*a.* An applicant's eligibility for state payment program funding shall be effective from the date of application.

*b.* A member shall remain eligible until:

(1) The member has not received services for 12 months; or

(2) The CPC in the county of residence notifies the state payment program manager that the member is no longer eligible.

**153.54(4) *Notification of eligibility decisions.*** The CPC or the CPC's designee shall notify the applicant or member of the following decisions in accordance with CPC requirements and procedures:

*a.* Certification of the applicant's eligibility.

*b.* A change in a member's services, including termination of service.